

REMARKS

Applicants add new claims 12-14. Accordingly, claims 1, 2, and 5-14 are all the claims pending in the application.

Claim rejections under 35 U.S.C. § 103(a)

Claims 1-2 and 5-10 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Galis et al. (U.S. Patent No. 5,175,800) in view of Bimm et al. (U.S. Patent No. 6,901,440) and Claim 11 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Galis and Bimm in view of Newton (Newton's Telecom Dictionary, VPN, page 982,983).

Applicants traverse these rejections for at least the following exemplary reasons.

Claim 1 recites, *inter alia*, “wherein said policy rules comprise services rules, which create a service in the network and implementation rules, wherein said implementation rules for creating said service comprise technology rules and equipment rules, and wherein the technology rules model expert know-how and specify how to determine technology to use in the service being created based on stored attributes of equipment in the network and stored attributes of the service.”

As a preliminary matter, Applicants maintain that these claims are allowable at least for the reasons submitted on pages 8-11 of the January 22, 2008 Amendment.

In response to the arguments submitted with the January 22, 2008 Amendment, the Examiner appears to address only the arguments regarding “creating a service” and “the system of Galis requires to user to know the equipment and technology to use.” However, the Examiner

fails to address Applicants arguments that “In Galis, there is no disclosure or suggestion of having technology rules that will determine technology to use in creating a service and equipment rules that will select equipment to use for the service. ... In short, Galis fails to disclose or suggest creating a service via the service rules and creating a service with technology and equipment rules that determine technology to use.” (See page 11, lines 8-14 of the January 22, 2008 Office Action.)

In particular, the cited portions of Galis does not disclose “implementation rules for creating said service comprise technology rules and equipment rules, and wherein the technology rules model expert know-how and specify how to determine technology to use in the service being created based on stored attributes of equipment in the network and stored attributes of the service.” In the Abstract, Galis discloses a configuration expert system that allows a user to define and maintain a communications network requirements database for (re)configurations of a communications network. In column 14, lines 15-35, Galis discloses a network database 908 that maintains information on all ends 502 of the communication network 500 and the physical inventory of the communications network sub-components. In column 24, lines 8-16, Galis discloses that the configuration domain database is represented by a set of rules which constitute the knowledge base. In column 46, lines 58-66, Galis discloses that a human user supplies certain based network parameters and the expert system 918 creates the reset. Also, column 47 lines 16-29 discloses that an initial configurations can be produced for a new network in accordance with the user’s requirements and creating the complete configurations on its own. However, none of these portions disclose anything about the technology rules specifying how to

determine technology to use in the service being created based on stored attributes of equipment in the network and stored attributes of the service.

That is, even though the Examiner points to Galis for disclosure of certain rules and configuration information stored in database, these portions do not disclose anything about rules that specify how to determine technology to use. In fact, the Examiner appears to merely choose particular elements in Galis in vacuum to correspond to some features of the claim (not all features of the claim), without considering what the recited claimed in its entirety requires as compared to actual functions of the chosen elements of Galis.

Furthermore, since Galis does not disclose creating a service (Examiner concedes this on page 4, lines 2-3 of the Office Action), it would be illogical for Galis to disclose wherein said policy rules comprise services rules, which create a service in the network and implementation rules, wherein said implementation rules for creating said service comprise technology rules and equipment rules, and wherein the technology rules model expert know-how and specify how to determine technology to use in the service being created based on stored attributes of equipment in the network and stored attributes of the service. That is, even though the Examiner relies on Bimm to allegedly disclose the feature of “creating a service”, Galis still fails to disclose technology rules and equipment rules for creating the service. Specifically, Galis fails to disclose technology rules that specify how to determine technology to use in service that is created.

Further, Bimm is directed to describing and initiating the activation of telecommunications and telecommunications and data communication s network services in a

vendor neutral manner (Abstract). Bimm discloses incorporation of business rules to location/device level granularity in a generic manner (column 3, lines 1-6) and generic set of rules for building service orders (column 11, 63-65). However, these cited portions Bimm fails to disclose the claimed technology rules and equipment rules. Specifically, Bimm again fails to disclose technology rules that specify how to determine technology to use in service that is created.

Moreover, Applicants respectfully submit that the Examiner has not provided the requisite motivation to modify the teachings of Galis to incorporate “creating a service” disclosed in Bimm. Therefore, *prima facie* case of obviousness has not been established. In particular, the Examiner merely states that it would have been obvious to modify the teachings of Galis to incorporate the teaching of Bimm for the purpose of creating a service. As such, the Examiner is simply stating that it would have been obvious to incorporate the missing feature with the teaching of Galis for the purpose of incorporating the missing feature. However, such an assertion clearly fails to provide any reasons why one of ordinary skill in the art would have been motivated to modify Galis, which is directed to providing an expert system for allowing user to define and maintain configuration of network database to incorporate the teaching of creating universal service activation disclosed in Bimm. Therefore, Applicants respectfully submit that it would not have been obvious to one of ordinary skill in the art to combine the references as asserted by the Examiner.

Further, in the response to the argument section, the Examiner asserts that “while there are situations discussed in Galis et al. that would require a user to know specifics about the

equipment and technology to use (i.e., partial or manual configuration by the user) Galis et al. also clearly show and disclose situations where they [*sic*] user need only enter basic parameters or nothing at all. Requiring the user to input basic parameters is not equivalent to requiring the to know specific about the equipment and technology to use.” Applicants respectfully disagree with the Examiner assertion for at least the following reasons.

Applicants respectfully submit that even though Galis appears to disclose that a human user only supplies a basic network parameter and the expert section create the rest (column 46, lines 58-63) and “the present invention can create the complete configuration on its own”(column 47, lines 25-29), these portions still fail to disclose fails to disclose the claimed technology rules and equipment rules. Specifically, they again fail to disclose technology rules that specify how to determine technology to use in service that is created.

Further, since Galis does not disclose what the “basic” parameters are, it is improper for the Examiner to allege that they somehow correspond to user inputting information regarding equipment and technology to use.

In addition, Applicants respectfully requests the Examiner **give weight to each and every feature** of the claimed invention as they appear in the claims.

Accordingly, Applicants respectfully request the Examiner to withdraw this rejection of claim 1 and its dependent claims 2 and 5-11.

New Claims

In order to provide more varied protection, Applicant adds claims 12-14 which are patentable by virtue of their dependency and for additional features set forth therein.

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Appln. No.: 10/629,682

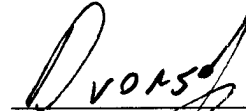
Attorney Docket No.: Q76276

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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